

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

ERNEST CORNELIUS WILLIAMS,

Plaintiff,

v.

DON ROPER, et al.,

Defendants.

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No. 4:13-CV-2440 CAS

MEMORANDUM AND ORDER

Pending before this Court is plaintiff's "Objections to Defendants' Motion To Amend 'CMO', and, Plaintiff's Request for Appointment of Counsel." The Court has amended the Case Management Order and, therefore, plaintiff's objections are moot. As for plaintiff's request for appointment of counsel, for the following reasons the request will be denied.¹

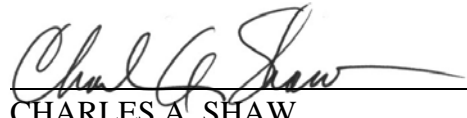
There is no constitutional or statutory right to appointed counsel in civil cases. Nelson v. Redfield Lithograph Printing, 728 F.2d 1003, 1004 (8th Cir. 1984). In determining whether to appoint counsel, the Court considers several factors, including (1) whether the plaintiff has presented non-frivolous allegations supporting his or her prayer for relief; (2) whether the plaintiff will substantially benefit from the appointment of counsel; (3) whether there is a need to further investigate and present the facts related to the plaintiff's allegations; and (4) whether the factual and legal issues presented by the action are complex. See Johnson v. Williams, 788 F.2d 1319, 1322-23 (8th Cir. 1986); Nelson, 728 F.2d at 1005.

¹Plaintiff's request for appointment of counsel should have been filed as a separate motion.

After considering these factors, the Court finds that the appointment of counsel is not warranted. This case is neither factually nor legally complex, and plaintiff is capable of investigating the facts of his case. Also, in filings with the Court, plaintiff has demonstrated that he can adequately represent himself.

Accordingly,

IT IS HEREBY ORDERED that plaintiff Ernest C. Williams's "Objections to Defendants' Motion To Amend 'CMO', and, Plaintiff's Request for Appointment of Counsel", which the Court construes as a motion for appointment of counsel, is **DENIED**. [Doc. 47]



CHARLES A. SHAW
UNITED STATES DISTRICT JUDGE

Dated this 1st day of June, 2015.